IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8757 of 2000
with
CIVIL APPLICATION NO 8195 OF 2000

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

CHAUDHARI JESANGBHAI MEGHJIBHAI
Versus
PARI NATHABHAI HARIBHAI

Appearance:
MR SURESH M SHAH for Petitioner
Mr. AJ Patel for Respondent No.1.

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 27/09/2000

ORAL JUDGEMENT

Learned advocate Mr. Shah is appearing for the petitioner. He seeks leave to delete respondent No.2 Gujarat Revenue Tribunal. Leave granted. Respondent No.2

stands deleted. Learned advocate Mr. A.J. Patel appears for respondent NO.1 (now sole respondent).

Rule. Learned advocate Mr. A.J. Patel appearing for the respondent has waived service of rule. On the facts and in the circumstances of the case, the matter is taken up for final hearing today itself.

In this petition, the petitioner is challenging the order passed by the Gujarat Revenue Tribunal, Ahmedabad dated 20th July, 2000 in Revision Application No. 65 of 2000 under which the stay application preferred by the petitioner has been rejected by the tribunal.

In this matter, this court, while issuing notice to the respondents, has granted status quo in favour of the petitioner which has continued till this date. According to the submission of Mr. Shah, this petition could be disposed of by directing the Gujarat Revenue Tribunal to decide and dispose of the aforesaid revision application No. 65 of 2000 within some stipulated time and meanwhile, status quo granted by this court while issuing notice may be continued. According to him, if such directions are issued by this court, this would met ends of justice. Such suggestion made by Mr. Shah has not been seriously objected by Mr. Patel, learned advocate for the respondent.

Considering the suggestion made by Mr. Shah and without entering into the merits of the matter, the Gujarat Revenue Tribunal is directed to decide and dispose of the main revision application No. 65 of 2000 pending before it on or before 20th October, 2000 in accordance with law without being influenced by the interim order passed by it on 20th July, 2000. Meanwhile parties are directed to maintain status quo. Rule is made absolute accordingly in terms indicated hereinabove with no order as to costs.

In view of the order passed in the main matter today, Civil Application No. 8195 of 2000 shall not survive. Same is, therefore, disposed of accordingly. DSPfs

27.9.2000. (H.K. Rathod,J.)

Vyas